IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Summons for Judgment No.256 of 2004

in

Summary Suit No 48 of 2004

M/s Rajesh Metal Corporation.. plaintiff

vs

M/s Bright Engineers & ors.. defendants

Mr.K.S.Tripathi for plaintiff

None for defendants

CORAM: S.J.VAZIFDAR J.

Dated 25.l.2005

P C:

. The suit is filed to recover the price of the goods sold and delivered.The suit is based on account stated in "Exhibit D to the plaint" The defendant furnished the plaintiff their account in their ledger stating that Rs.2,45,880.04 was due and payable by them to the plaintiffs.Thereafter admittedly part payments have been made for which credit has been given . There is no reply to the plaintiffs' notice demanding payment of balance amount. There is no affidavit in reply .

In the circumstances there is no defence to the suit. The summons for judgment is made absolute with costs. The interest, however, after the date of filing of the suit shall be at l2% per annum. Refund of court fee as per Rules.

For the purpose of refund of court fee, Prothonotary and Senior Master to act on the copy of this order duly authenticated by the Shirestedar/ Private Secretary.